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of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 80<sup>th</sup> CONGRESS, FIRST SESSION

## The National Defense Establishment

### REMARKS

OF

**HON. W. STERLING COLE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 30, 1947

Mr. HOFFMAN. Mr. Speaker, on the question of the necessity for the kind of and the functions of a national defense organization, the gentleman from New York, the Honorable W. STERLING COLE, today, testifying before the House Committee on Expenditures in the Executive Departments, made a clear, concise, and informative statement, which was as follows:

STATEMENT OF REPRESENTATIVE COLE OF NEW YORK BEFORE THE HOUSE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS ON JUNE 30, 1947, RELATING TO H. R. 2319

Mr. Chairman, personally grateful as I am for the indulgence of this committee in permitting an expression of my thoughts on H. R. 2319, I confess that it was with considerable amazement that I learned the decision of this committee to discontinue hearings on this most vital matter on July 1. This decision, coming as it did barely 24 hours after the Secretary of the Navy had issued a general directive releasing naval personnel to voice their views on the proposal, has peremptorily restored the gag on naval officers at the moment the Navy Department removed it. Being confident as I am that some features of the pending bill are disfavored by the practically unanimous concurrence of naval officers, only one conclusion can be drawn from that action of the committee, and that is that the proponents of this measure are fearful for the fate of the bill if the criticisms against it are publicized. The implications contained—yes; even concealed—in some features of the bill are so profound, so far reaching, and so dangerous both to our military security and the civil establishment that this committee and the Congress fail in its duty to the people of our Nation unless the investigation thoroughly examines the objectionable aspects of the proposal.

Mr. Chairman, what is the rush? Whence comes this pressure for hasty, ill-considered legislation as revolutionary in character as any Congress has contemplated in this generation?

Before continuing further, I will emphasize that the greater part of the pending bill has my complete approval. I refer specifically to those provisions creating the War Council, Joint Chiefs of Staff, Munitions Board, Research and Development Board, Central Intelligence Agency, National Security Council, and National Security Re-

sources Board, together with most of the miscellaneous provisions. Such criticisms as I shall make will be directed to the creation of a Secretary of National Defense and a Department of Air Force. I know that I have substantial public support in those opinions. As to the unobjectionable portions of the measure, there is no reason why early and prompt action could or should not be taken by the Congress. They can be enacted immediately and with unanimity. But with respect to the two portions which I have just mentioned, I most emphatically hold that the Congress should proceed with extreme caution and wisest deliberation before it takes a step so revolutionary of our military establishment and civil government. We must not lightly make radical adjustments in the military machinery which has evolved and matured over 150 years, which has given to our people a security enjoyed by no other nation in the world, and which has just won a two-hemisphere war against nations whose military establishment we now propose to imitate.

A moment ago I asked—why the rush? The necessary integration of our national security agencies, the working parts of this bill, can be adopted forthwith, and no one will dissent. Everything that the test of experience has demonstrated to be necessary for the close coordination of the several military establishments and civilian agencies can be had without inflicting upon our Government the alien and discredited concept of one-man domination, and the division of our armed forces into three parts which other nations have found impracticable—if not, as in Germany's case, disastrous.

This committee has heard numerous witnesses testifying in support of the bill who admitted that the next war, if it comes within 10 years, will be fought with the weapons employed at the close of the last war. One such witness was Dr. Vannevar Bush, the Nation's leading authority in the application of science to warfare. Dr. Bush also expressed his surprise that this bill should strip the Army of its tactical air support of ground forces. If it had not been for the tactical support by naval aviation of the Army in the Carolines and the Marianas, those battles would have been endlessly prolonged at hideous cost of life. The Navy supplied the close support of the troops on the ground. The Army Air Force could not or would not. And yet this committee is denying itself and the Nation the benefit of the expert opinion of outstanding naval aviators in rushing the hearings to premature and unnecessary conclusion. I repeat, what is the rush?

The natural assumption is that since the responsible officials of the branches of the services affected are in agreement on H. R. 2319, the Congress should concur in the agreement without serious inquiry or con-

troversy. Such an attitude fails to short of our performance of the constitutional responsibilities placed upon us as Members of Congress. Under the Constitutional authority for the organization and maintenance of our military establishment is not vested in the Commander in Chief, or Chiefs of Staff, or Secretaries of the service departments. The responsibility for providing and maintaining an army and navy rests solely, squarely, and exclusively upon the Congress of the United States. Consequently to the extent that we blindly accept any agreement made by the operating heads of our military establishments, to that extent we fail in our duty to the people of the country. To this end, then, I implore the members of the committee to complete a thorough, exhaustive, and searching inquiry into those portions of this bill over which there is serious controversy, before it makes its recommendations to the House of Representatives.

Much has been promised about the economies this bill will effect. The declarations have been general, promises as dry as a department store Santa Claus makes to children. But when pressed for details witness after witness has admitted that the proposed new establishment will be more expensive than our existing departmental system. The promise of economy is transferred to the remote future.

I do not think economy is a compelling argument. A cheap army, navy or air force is little better than none at all. It is like a cheap diamond. It has superficial glitter but is full of flaws. Savings in dollars which might be effected today may result in terrific expenditures at a later date when the strength of our security is put to the test and our weakness, inspired by the desire to save money, makes itself evident when it may be too late. Who is there who will claim that money spent even on duplication, competition, or overlapping or paralleling activities of our military branches which resulted in producing the most effective instruments of war and the overwhelming superiority of our arms, was money wasted? In expressing this thought, I do not, for a moment, infer that we should be wasteful or extravagant in the support of our military machine. It must be watched like any other Government agency, but by the terms of this bill so many more barriers are erected between the Congress and the military budgeteers that the economy is sacrificed to cheap and undemonstrated promises of remote savings. With the bureaucracy of the single Secretary's office interposed between Congress and the military bureau chiefs, the fiscal committees of the Congress are thereby further insulated from scrutiny of the budget estimates. I definitely assert that it is false economy to practice a military establishment basically upon the consideration of dollar costs.

"(C) Adjusted gross income less than \$5,000; if the adjusted gross income is less than \$5,000, the standard deduction shall be an amount equal to 10 percent of the adjusted gross income upon the basis of which the tax applicable to the adjusted gross income of the taxpayer is determined under the tax table provided in section 402."

"(c) Taxable years to which applicable: The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1947. For treatment of taxable years beginning in 1947 and ending in 1948, see section 6."

#### NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO MILITARY ESTABLISHMENT APPROPRIATION BILL

Mr. GURNEY submitted the following notice in writing:

In accordance with rule XI of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 3678) making appropriations for the Military Establishment for the fiscal year ending June 30, 1949, and for other purposes, the following amendment, namely:

On page 59, after section 17, insert a new section reading as follows:

"Sec. 18. The limitation imposed by section 14 of the act of May 24, 1948 (60 Stat. 219), shall not apply during the fiscal year 1949 to such personnel as the Secretary of War may determine to be necessary in lieu of military personnel authorized and appropriated for to carry out the purposes of this act. Provided, That not to exceed 25,000 civilian employees may be employed under the authority of this section."

Mr. GURNEY also submitted an amendment intended to be proposed by him to House Bill 3678, making appropriations for the Military Establishment for the fiscal year ending June 30, 1949, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

#### RETURN OF THE REMAINS OF MEMBERS OF ARMED FORCES KILLED IN WAR

Mr. LODGE. Mr. President, at the last call of the calendar I objected to the unanimous consent consideration of order No. 364, House bill 3394 to amend the act entitled "An act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States," approved May 16, 1946, in order to provide for the shipment of the remains of World War II dead to the homeland of the deceased or of next of kin, to provide for the disposition of group and mass burials, to provide for the burial of unknown American World War II dead in United States military cemeteries to be established overseas, to authorize the Secretary of War to acquire land overseas and to establish United States military cemeteries thereon, and for other purposes.

Since making that objection I have conferred with officers in the Department in charge of this function, and I find that all the doubts I had entertained are resolved. I therefore withdraw the objection.

The PRESIDENT pro tempore. Does the Senator desire the present consideration of the bill?

Mr. LODGE. No; I do not desire that. I merely want the reason to show that I have withdrawn my objection.

#### MEETING OF COMMITTEE DURING SENATE SESSION

Mr. WHERRY. Mr. President, I ask unanimous consent that the Subcommittee on Health of the Committee on Labor and Public Welfare be permitted to hold a hearing during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, the order is made.

#### MORALS OF SELLING LIQUOR—ARTICLE FROM KIPLINGER MAGAZINE

[Mr. CAPPER asked and obtained leave to have printed in the Record an article entitled "Morals of Selling Liquor," published in the July 1947 issue of Kiplinger magazine, which appears in the Appendix.]

#### FUTURE SOVIET AGREEMENTS—EDITORIAL FROM THE WASHINGTON DAILY NEWS

[Mr. McCLELLAN asked and obtained leave to have printed in the Record an editorial entitled "Future Soviet Agreements," published in the Washington Daily News of July 2, 1947, which appears in the Appendix.]

#### BETTER GOVERNMENT—EDITORIAL FROM THE WASHINGTON DAILY NEWS

[Mr. McCLELLAN asked and obtained leave to have printed in the Record an editorial entitled "Better Government," published in the Washington Daily News, July 2, 1947, which appears in the Appendix.]

#### A CAPITALIST LOOKS AT LABOR—ARTICLE BY CYRUS EATON

[Mr. MOHR asked and obtained leave to have printed in the Record an article entitled "A Capitalist Looks at Labor," by Cyrus Eaton, published in the University of Chicago Law Review for April 1947, which appears in the Appendix.]

#### REFUSAL TO ACCEPT GOVERNMENT SUBSIDY—LETTER FROM JOE M. BAKER

[Mr. WILEY asked and obtained leave to have printed in the Record a letter from Joe M. Baker, district general sales manager of the Milcor Steel Co., of Washington, D. C., together with an article by Edwin A. Lahey, which appear in the Appendix.]

#### WALTER CHANDLER—ADDRESS BY WALTER P. ARMSTRONG

[Mr. STEWART asked and obtained leave to have printed in the Record the address entitled "Walter Chandler—Citizen, Lawyer, Soldier, Public Servant," delivered by Walter P. Armstrong, of the Memphis bar, at a testimonial dinner given to Walter Chandler in Memphis on September 20, 1946, which appears in the Appendix.]

#### AUTHORIZATION FOR REPORT FROM FINANCE COMMITTEE

Mr. MILLIKIN. Mr. President, the Committee on Finance has favorably reported House bill 3950, a bill for the reduction of taxes. I ask unanimous consent to be permitted to submit a report by midnight tonight.

The PRESIDING OFFICER. Without objection, permission is granted.

#### MRS. MILDRED WELLS MARTIN

The PRESIDENT pro tempore laid before the Senate the amendments of the

House of Representatives to the bill (S. 116) for the relief of Mrs. Mildred Wells Martin, which were, on page 1, line 7, after "\$4,000" insert "; to pay the sum of \$2,500 to Mrs. Mabel Jones, of Camden, S. C."; on page 1, line 10, strike out "the said Mrs. Mildred Wells Martin" and insert "them"; on page 1, line 11, strike out "she was" and insert "they were"; on page 1, line 11, strike out "a passenger" and insert "passengers"; and to amend the title so as to read "An act for the relief of Mrs. Mabel Jones and Mrs. Mildred Wells Martin."

Mr. MAYBANK. Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

#### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. MILLER, one of his secretaries, and he announced that on today, July 2, 1947, the President had approved and signed the following acts:

- S. 394. An act authorizing the issuance of a patent in fee to Raymond Wesley Dayley.
- S. 396. An act authorizing the issuance of a patent in fee to Tharlow Gray Doyle.
- S. 397. An act authorizing the issuance of a patent in fee to Lawrence Stanley Doyle.
- S. 398. An act authorizing the issuance of a patent in fee to Spencer Burgess Doyle.
- S. 399. An act authorizing the issuance of a patent in fee to Gladys May Doyle.

#### EXECUTIVE MESSAGES RECEIVED

As in executive session, The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

- S. 640. An act to authorize the Secretary of Commerce to sell certain property occupied by the Weather Bureau at East Lansing, Mich., and to obtain other quarters for the said Bureau in the State of Michigan.
- S. 1316. An act to establish a procedure for facilitating the payment of certain Government checks, and for other purposes.
- H. R. 404. An act to reorganize the system of parole of prisoners convicted in the District of Columbia.
- H. R. 3737. An act to provide revenue for the District of Columbia, and for other purposes; and
- H. J. Res. 176. Joint resolution authorizing the erection in the District of Columbia of a memorial to Andrew W. Mellon.

#### UNIFICATION OF THE ARMED SERVICES

The Senate resumed the consideration of the bill (S. 759) to promote the national security by providing for a National Defense Establishment, which shall be administered by a Secretary of National

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Mr. McCARTHY. Yes; for the benefit of the Senator from Massachusetts, I make that request.

The PRESIDENT pro tempore. Is there objection to the perfecting of the amendment as has been indicated? The Chair hears none; and, without objection, the amendment is further perfected as indicated.

Mr. LODGE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LODGE. Where is that word to be inserted in the amendment?

Mr. McCARTHY. Mr. President, it is to be inserted before the word "status" in line 2 of the amendment.

Mr. CHAVEZ. Mr. President, it is my opinion that the amendment offered by the Senator from Wisconsin [Mr. McCARTHY], as perfected, should be agreed to. I approve of the words of the Senator from Massachusetts [Mr. SALTONSTALL] that the Marines should not be frozen, and for that very reason I think the amendment of the Senator from Wisconsin should be agreed to.

If we do freeze them, if we do take the advice of some naval officer or army officer in the Department of National Security, who is going to carry out landing operations in case of war? All one has to do is to read the history of the Marines to know their worth. Because we do know their history, because we do respect their valor and their courage, and know how they take their objectives in places which the Army and the Navy could not reach, we do not want them frozen. We want the Marines to remain as they are, and as they have been in the past, able to go forward with the performance of their duty as they have been in the past, from the inception of the country.

Mr. President, it is fine to think of the Army and to think of the Navy. Both those services have done wonderful work. But why at this late day, after a brilliant history, should we do something that would sidetrack the Marines?

Mr. President, I do hope the amendment of the Senator from Wisconsin will be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. McCARTHY] to the amendment of the committee. The yeas and nays have been ordered, and the Clerk will call the roll.

The legislative clerk called the roll.  
Mr. WHERRY. I announce that the Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

The Senator from New York [Mr. IVES] is absent by leave of the Senate because of a death in his immediate family.

The Senator from New Hampshire [Mr. TOBEY] is necessarily absent because of illness in his family.

The Senator from Kansas [Mr. REED], who is necessarily absent, has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from Maine [Mr. BREWSTER], the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], and the Senator

from Delaware [Mr. BUCK] are unavoidably detained on official business.

The Senator from South Dakota [Mr. BUSHFIELD], the Senator from Vermont [Mr. FLANDERS], the Senator from Indiana [Mr. JENNER], the Senator from Missouri [Mr. KEM], and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY] is absent by leave of the Senate.

The Senator from Mississippi [Mr. EASTLAND] is absent on public business.

The Senator from Utah [Mr. THOMAS] is absent by leave of the Senate, having been appointed a delegate to the International Labor Conference at Geneva, Switzerland.

The Senator from Arkansas [Mr. FULBRIGHT], the Senator from Washington [Mr. MAGNUSON], the Senators from Maryland [Mr. O'CONOR] and Mr. TYNINGS, the Senator from Alabama [Mr. SPARKMAN], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Louisiana [Mr. ELLENDER] is absent on official business.

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED]. If present and voting, the Senator from New York would vote "nay."

If present and voting, the Senator from Louisiana [Mr. ELLENDER], the Senator from Alabama [Mr. SPARKMAN], the Senator from Utah [Mr. THOMAS], and the Senator from Maryland [Mr. TYNINGS] would vote "nay."

The result was announced—yeas 19, nays 52, as follows:

## YEAS—19

Aiken	Langer	Moore
Brooks	McCarthy	O'Daniel
Butler	McClellan	Revercomb
Chavez	McFarland	Robertson, Wyo.
Eaton	McKellar	Wherry
Hayden	McMahon	
Hickenlooper	Malone	

## NAYS—52

Baldwin	Hoey	Pepper
Ball	Holland	Robertson, Va.
Barkley	Johnson, Colo.	Russell
Byrd	Johnson, S. C.	Saltonstall
Cain	Kilgore	Smith
Capper	Knowland	Stewart
Connally	Lodge	Taft
Cooper	Lucas	Taylor
Cordon	McCarran	Thye
Donnell	McGrath	Umstead
Dworshak	Martin	Vandenberg
Ferguson	Maybank	Watkins
Green	Mullikin	White
Gurney	Morse	Williams
Hatch	Murray	Wilson
Hawkes	Myers	Young
Hill	O'Mahoney	
	Overton	

## NOT VOTING—24

Brewster	Ellender	Reed
Bricker	Flanders	Sparkman
Bridges	Fulbright	Thomas, Okla.
Buck	Ives	Thomas, Utah
Bushfield	Jenner	Tobey
Capehart	Kem	Tydings
Downey	Magnuson	Wagner
Eastland	O'Connor	Wiley

So Mr. McCARTHY's amendment to the amendment was rejected.

The PRESIDENT pro tempore. The amendment of the committee is open to further amendment.

Mr. DONNELL. Mr. President, in connection with the construction placed

by the Senator from Wyoming on the powers of the Secretary of National Security, as compared with those of the heads of the Department of the Army, Department of the Navy, and the Department of the Air Force, there occurred a day or so ago some colloquy on the floor of the Senate as to the possible effect of the declaration of policy in interpreting the meaning of the language in sections 201 and 202. In that connection I made the point that the language in the preamble, that is to say, the declaration of policy, referring to unified direction under civilian control, tended to substantiate the view of the Senator from Wyoming, because of the fact that there is no requirement in the bill that anyone except the Secretary of the Air Force and the Secretary of National Security shall be appointed from civilian life. It was suggested by the senior Senator from Massachusetts that there may be some statutory provision which makes it obligatory that both the Secretary of War and the Secretary of the Navy shall be chosen from civilian life. In order that the record may be clear on this point, I desire to offer and to read into the Record a letter from Ernest S. Griffith, Director of the Legislative Reference Service of the Library of Congress, dated July 8, 1947, addressed to me in response to my request of the same date as follows:

THE LIBRARY OF CONGRESS,  
LEGISLATIVE REFERENCE SERVICE.

Washington, July 8, 1947.

HON. FOREST C. DONNELL,  
United States Senate,

Washington, D. C.

DEAR SENATOR DONNELL: This is in response to your telephone inquiry of this morning as to whether there is any provision in the Federal statutes or in the Constitution of the United States which would require either the Secretary of War or the Secretary of the Navy to be a civilian.

You are advised that neither the Constitution nor any Federal statute requires that the incumbents of these cabinet positions be civilians.

However, no officer of the Army on the active list is permitted to hold any civil office, whether by election or by appointment, and every such officer who accepts or exercises the functions of a civil office thereby ceases to be an officer of the Army, and his commission is thereby vacated (10 U. S. C. 576; R. S. sec. 1222).

Prior to the act of August 5, 1882 (22 Stat. 238), specifically authorizing such temporary designation, it was held that the prohibition of the above statute was sufficiently broad as to preclude a general of the Army from serving even temporarily as Secretary of War during the absence of the Secretary without vacating his commission as general of the Army (14 Op. Atty. Gen. 200).

No statutes similarly restricting Navy officers in the acceptance of civil employment have been noted.

Sincerely yours,

ERNEST S. GRIFFITH,

Director, Legislative Reference Service.

Mr. President, I submit respectfully that the statement by Mr. Griffith tends to substantiate the point made by the Senator from Wyoming as to the proper construction of the declaration of policy and its effect upon the respective powers of these officials.

The PRESIDENT pro tempore. The amendment is open to further amendment. There be no further amend-

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duties prescribed by the Classification Act of 1923, as amended.

Sec. 5. The committee or its duly constituted subcommittee is authorized, with the approval of the Committee on Rules and Administration, to request the use of the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government in the performance of its duties under this resolution.

Sec. 6. The expenses of the committee under this resolution, which shall not exceed \$25,000, shall be paid out of the contingent fund of the Senate upon vouchers signed by the chairman.

#### REFERENCE OF NOMINATION OF BURTON N. BEHLING TO BE A MEMBER OF FEDERAL POWER COMMISSION

As in executive session.

Mr. WHITE submitted the following resolution (S. Ex. Res. 52), which was ordered to lie over 1 day under the rule:

Resolved, That the Committee on Public Works be, and it is hereby discharged from the further consideration of the nomination of Burton N. Behling, of the District of Columbia, to be a member of the Federal Power Commission for the term expiring June 22, 1952, and that it be referred to the Committee on Interstate and Foreign Commerce.

#### MAJ. RICHARD R. WRIGHT

Mr. MARTIN. Mr. President, last Wednesday, in Philadelphia, Maj. Richard R. Wright passed from this life at the age of 94. His distinguished career was one of the greatest examples of what can be accomplished under our American way of life.

Major Wright was born as a slave in the State of Georgia. For 50 years he was active in the field of education in his native State. He was graduated from Atlanta University in 1876 and took postgraduate work at the University of Chicago, Harvard University, and the University of Pennsylvania.

He first taught in the elementary and secondary schools, and in 1880 was appointed principal of the Ware High School, the first Negro school of its kind in the State.

Later he was made president of Georgia State College, a post which he held for 30 years.

In 1921 he decided to go into business, and organized in Philadelphia the Citizens & Southern Bank & Trust Co., now the largest Negro bank in eastern United States.

He always championed the cause of his people. He fostered National Freedom Day, and his last visit to the Nation's Capital was to advocate recognition of that day. He was active in the church and fraternal organizations. He was interested in military work and attained the rank of major.

By the force of his personality, his work, courage, and knowledge Major Wright achieved outstanding things for himself and his people.

The Philadelphia Inquirer, which seldom refers to individuals in its editorials, paid appropriate tribute to him editorially, and I ask unanimous consent to have this editorial printed in the Record at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

#### MAJ. RICHARD R. WRIGHT

Maj. Richard R. Wright, who died in this city on Wednesday, achieved distinction in many fields in a long lifetime that stretched back to pre-Civil War days in Georgia, where he was born in slavery.

From those beginnings he rose to become one of the foremost Negro educators in the country. He was principal of the first Negro high school in Georgia and for 30 years president of Georgia State College.

Widening his activities, he turned to banking comparatively late in life and was founder and president of the Citizens & Southern Bank & Trust Co. of this city, the largest Negro-owned and operated bank in the North.

Meanwhile, he served his country in the armed forces during the Spanish-American War, and was named by President McKinley a special paymaster with the rank of major.

He was known not only in Philadelphia but throughout the United States as a civic leader untrillingly devoted to causes he believed would help the ordinary citizen, and as a sincere champion of his people.

Fostering National Freedom Day and obtaining the issuance of a postage stamp honoring Booker T. Washington were only minor aspects of his unflagging zeal in the interests of his fellow Negroes.

Major Wright was not only a highly successful and capable Negro educator and banker; he was a loyal, conscientious public servant, a distinguished American, and a fine gentleman.

#### WHAT OF THE FUTURE OF AMERICA?

##### ADDRESS BY SENATOR WATKINS

(Mr. WATKINS asked and obtained leave to have printed in the Record a radio address entitled "What of the Future of America?" delivered by him on July 5, 1947, which appears in the Appendix.)

#### INDEPENDENCE DAY IN THE ATOMIC AGE—ADDRESS BY SENATOR WILEY

(Mr. WILEY asked and obtained leave to have printed in the Record an address entitled "Independence Day in the Atomic Age," delivered by him over Wisconsin radio stations on July 4, 1947, which appears in the Appendix.)

#### AMERICAN RELATIONS WITH RUSSIA—SERMON BY DR. WALTER ROWE COURTENAY

(Mr. STEWART asked and obtained leave to have printed in the Record an article entitled "Clergyman Wants United States To Get Tough With Russia," containing excerpts from a sermon by Dr. Walter Rowe Courtenay, pastor of the First Presbyterian Church of Nashville, Tenn., which appears in the Appendix.)

#### NATIONAL HEALTH INSURANCE—COMPILATIONS OF FACTS

(Mr. MURRAY asked and obtained leave to have printed in the Record two brief compilations of facts bearing on the need for national health insurance, which appear in the Appendix.)

#### THE FEDERAL COURTS—EDITORIAL FROM THE NEW YORK TIMES

(Mr. O'CONOR asked and obtained leave to have printed in the Record an editorial entitled "For the Federal Courts," published in the New York Times, of July 6, 1947, which appears in the Appendix.)

#### POSTAL RATE ON BOOKS—ARTICLE BY MARQUIS CHILDS

(Mr. O'CONOR asked and obtained leave to have printed in the Record an article entitled "Postal Rate on Books," written by Marquis Childs and published in the Wash-

ington Post of July 7, 1947, which appears in the Appendix.)

#### A GOOD FORMULA—AN EDITORIAL

(Mr. BUSHFIELD asked and obtained leave to have printed in the Record an editorial entitled "A Good Formula," published in the July 1, 1947, issue of the Newark Star-Ledger, which appears in the Appendix.)

#### THE PRESENT LIQUOR SITUATION—ARTICLE BY MRS. D. LEIGH COLVIN

(Mr. LANGER asked and obtained leave to have printed in the Record an article entitled "The Present Liquor Situation," by Mrs. D. Leigh Colvin, president of the National Woman's Christian Temperance Union, which appears in the Appendix.)

#### EUROPE'S TESTING TIME—ARTICLE BY BARNET NOVER

(Mr. O'MAHONEY asked and obtained leave to have printed in the Record an article entitled "Europe's Testing Time," by Barnett Nover, published in the Washington Post of July 4, 1947, which appears in the Appendix.)

#### MEETINGS OF COMMITTEES DURING SENATE SESSION

Mr. REVERCOMB. Mr. President, on behalf of the Subcommittee on Immigration of the Committee on the Judiciary, I ask unanimous consent that it may meet this afternoon during the session of the Senate.

The PRESIDENT pro tempore. Without objection, permission is granted.

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent that the subcommittee of the Joint Committee on Atomic Energy be authorized to sit this afternoon.

The PRESIDENT pro tempore. Without objection, the order is made.

#### ENTRY OF DISPLACED PERSONS AS IMMIGRANTS—MESSAGE FROM THE PRESIDENT (H. DOC. No. 352)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read and referred to the Committee on the Judiciary.

(For President's message, see today's proceedings of the House of Representatives on p. 8496.)

#### CATHLEEN DOYLE HARRIS

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 395) authorizing the issuance of a patent in fee to Richard Jay Doyle, which was to amend the title, so as to read: "An act authorizing the issuance of a patent in fee to Cathleen Doyle Harris, sole devise of Richard Jay Doyle, deceased."

Mr. ECTON. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

#### UNIFICATION OF THE ARMED SERVICES

The PRESIDENT pro tempore. Under the order of the Senate of Wednesday, July 2, the Chair lays before the Senate the bill (S. 758) to promote the national security by providing for a national defense establishment, and so forth.

The Senate proceeded to consider the bill (S. 758) to promote the national se-



COURT OF CIVIL APPEALS,  
SEVENTH SUPREME JUDICIAL DISTRICT,  
Amarillo, Tex., June 12, 1944.

Hon. TOM CONNALLY,  
United States Senator of Texas,  
Washington, D. C.

DEAR SENATOR CONNALLY: It seems to be generally known that there will soon be a vacancy due to the retiring of one of the judges of the United States District Court of the Northern District of Texas, and we are all interested in seeing a good, strong, active successor appointed.

Since the western and northwestern part of the district has never had a man on the court, we feel that we are in a position to urge a most earnest consideration of the appointment of a good man who we believe would be the most acceptable man to the bar generally in the district. We recommend without reservation and urge the appointment of Joe B. Dooley, of Amarillo, when the vacancy occurs.

Mr. Dooley is well and favorably known throughout the State. He has the qualifications and we think he possesses the natural ability for such a position. He has never been in politics but has exercised considerable influence in strengthening the judiciary and in trying to keep it above criticism. He has been closely identified with the organizations of the legal profession, is an outstanding and popular leader within their ranks, and has their confidence and respect. He is a member of the law firm of Underwood, Johnson, Dooley & Wilson, of Amarillo, and enjoys a good practice. He is old enough to be settled and deliberate, yet young enough to be active and alert, with the prospect of at least a score of years of valuable service ahead of him.

Hoping this matter will have your most earnest consideration at the proper time, and assuring you of my personal regards, I am,

Very truly yours,

E. L. PIRTS,  
Chief Justice.

STAMFORD, TEX., February 10, 1947.  
Hon. TOM CONNALLY,

Senate Office Building:

Advise Dooley if prairie-dog lawyer can assist to call me collect. He is suited and qualified for appointment by nature, character, balance, integrity, experience, ability, and judicial temperament. A vast majority of the lawyers of the district will be pleased by his confirmation.

CHAS. E. COOMBER.

AMARILLO, TEX., February 9, 1947.  
Senator TOM CONNALLY,

United States Senate, Washington, D. C.:

My occupation is that of a cattleman and farmer. This expression is prompted by no one. I have known Joe Dooley as a gentleman and friend for 25 years. I have no ax to grind. As a student of the law he is regarded very highly and thorough. In my opinion he will discharge his duties on the Federal bench in an honorable and unimpeachable manner.

Respectfully yours,

BEN MASTERSON.

STOCKTON, TEX., February 25, 1947.  
Senator TOM CONNALLY,

Senate Building:

Believing the vast majority of the lawyers of Texas desire the appointment of Joe B. Dooley, of Amarillo, as district judge for the northern district of Texas, I want to express my appreciation of your continued efforts on his behalf.

TRAVERS CRUMPTON,  
District Attorney,  
Eighty-third Judicial District of Texas.

EL PASO, TEX., February 24, 1947.

Hon. TOM CONNALLY,  
Senate Chamber:

As an outstanding lawyer and gentleman, Joe Dooley is entitled to the appointment as United States district judge, northern district of Texas. We earnestly urge your continued support.

MAURY KEMP.  
EUGENE R. SMITH.  
J. M. GOGGIN.  
WYNDEAM K. WHITE.

EL PASO, TEX., February 24, 1947.

Senator TOM CONNALLY:

We are enthusiastically endorsing the appointment of Mr. Joe Dooley as district judge.

CYRUS H. JONES.  
THORNTON HARDIE.  
ALLEN R. GRAMBLING.  
BEN R. HOWELL.  
WILLIAM B. HARDIE.

EL PASO, TEX., March 6, 1947.

Senator TOM CONNALLY,

Senate Office Building:

Heartily approve your stand on appointment of Joe B. Dooley and will appreciate your continued efforts on his behalf.

J. L. RASBERRY.

SAN ANGELO, TEX., February 26, 1947.

Hon. TOM CONNALLY,

United States Senate:

The undersigned attorneys of San Angelo and, we think, practically our entire bar here strongly commend your stand on appointment of Dooley as United States district judge. He is worthy of the honor and we wish you success in your effort to secure his confirmation.

Lloyd Ker, Louis Gayer, B. W. Smith,  
W. A. Griffs, Travis Baker, Herschel Upton, Lee Upton, Tom Lear, C. T. Dalton, James P. Farrell, Olin Blanks, John Logan, H. E. Jackson, Scott Snodgrass.

DALLAS, TEX., July 4, 1947.

Senator TOM CONNALLY,

Senate Office Building,

Washington, D. C.:

The 1911 law class of the University of Texas of which Joe B. Dooley, of Amarillo, is a distinguished member held its thirty-sixth annual reunion in cooperation with the State bar in Dallas today. Forty-six members consisting of more than two-thirds of the surviving members of the class were present representing every political thought in Texas today. By unanimous vote the class instructed the undersigned to assure you that Joe B. Dooley is an outstanding lawyer of the very highest personal integrity, fully capable of discharging any responsibility and deserving of any honor that may be conferred upon him. Copy of this telegram is being sent to Senator W. LEE O'DANIEL.

C. M. CALDWELL, Abilene, Tex.,  
President.  
EUGENE L. HARRIS, of Houston,  
Secretary.

Mr. CONNALLY. I also ask to have printed a tabulation of the civil cases handled in the United States Federal Court for the Northern District of Texas.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Tabulation of civil cases, U. S. Federal Court,  
Northern District of Texas

Fort Worth.....	1,212
Amarillo.....	816
Lubbock.....	503
Abilene.....	446

Wichita Falls.....	388
San Angelo.....	184
Amarillo and Lubbock.....	1,319
Abilene, Wichita Falls, and San Angelo.....	1,018
Amarillo, Lubbock, Abilene, Wichita Falls, and San Angelo.....	2,337

The above tabulation is based on letters from the clerks' offices at the several cities named covering the number of civil suits filed at said respective offices of the Federal court in the northern district of Texas since the effective date of the Federal rules of civil procedure, which was September 16, 1938. The Fort Worth letter is dated October 11, 1946, the Amarillo letter October 15, 1946, and the Lubbock, Abilene, Wichita Falls, San Angelo letters all dated October 14, 1946.

ADDITIONAL REPORT OF SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM-INTER-AMERICAN HIGHWAY (S. REPT. NO. 440)

Mr. FERGUSON. Mr. President, I wish to file with the Senate a report from the Special Senate Committee Investigating the National Defense Program on its investigation of the Inter-American Highway. I ask unanimous consent to submit the report, and request that it be printed with illustrations.

The PRESIDENT pro tempore. Without objection, the report will be received and printed as requested by the Senator from Michigan.

Mr. FERGUSON. Mr. President, before sending the report to the desk, I desire to make a brief statement concerning the committee's investigation.

In one respect, Mr. President, the committee's investigation of the Inter-American Highway differs from many of the other investigations the special committee has conducted. This investigation was a job given the committee by the Senate itself. It was not a matter which the committee had decided to go into from its general investigation of war expenditures. I think it would be helpful for the record to recall, briefly, the circumstances under which our committee undertook this work.

In June, 1945, Fulton Lewis, Jr., the commentator, in a series of radio broadcasts, attacked some aspects of the manner in which sections of the Inter-American Highway in Central America had been built by the Army engineers. Mr. Lewis recited information obtained from people who had worked on the project. Transcripts of these broadcasts were made a part of the CONGRESSIONAL RECORD by certain Members of the Senate. A number of Senators, during the course of the debates, urged that the matter be thoroughly explored by the Special Senate Committee Investigating the National Defense Program. As one of the Senators on the floor at that particular time, I, as a member of the committee, thought the program should be investigated by the Senate committee, and so expressed myself.

On June 19, 1945, former Senator James M. Mead, then the chairman of the committee, announced in a speech on the floor of the Senate that the committee would undertake the investigation.

Subsequently, a subcommittee was appointed, of which the chairman was the

80TH CONGRESS  
1st Session

# S. 758

## IN THE SENATE OF THE UNITED STATES

MAY 14 (legislative day, APRIL 21), 1947

Referred to the Committee on Armed Services and ordered to be printed

## AMENDMENTS

Intended to be proposed by Mr. ROBERTSON of Wyoming to the bill (S. 758) to promote the national security by providing for a National Defense Establishment, which shall be administered by a Secretary of National Defense, and for a Department of the Army, a Department of the Navy, and a Department of the Air Force within the National Defense Establishment, and for the coordination of the activities of the National Defense Establishment with other departments and agencies of the Government concerned with the national security, viz:

1 On page 20, strike out line 15 and substitute there-  
2 for the following: "head thereof to be appointed from  
3 civilian life by the President. The Di-".

4 On page 20, strike out all of subsection (b) beginning  
5 at line 18 and concluding at line 10, on page 21, and reletter  
6 the following subsection.

5-14-47—J

*Director of Central Intell.*

*Not proposed.*